IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

O.J.APPEAL No. 7 of 2004
In
COMPANY PETITION No. 184 of 2002

For Approval and Signature:

HONOURABLE MR.JUSTICE R.S.GARG
HON'BLE MR.JUSTICE RAVI R.TRIPATHI

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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BARODAELECTROENGINEERINGPRODUCTSPVT.LTD. - Petitioner(s)

Versus

SUDAL INDUSTRIES LTD. - Respondent(s)

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Appearance :
MR PAVAN S GODIAWALA for Petitioner No(s).: 1.
MRS SWATI SOPARKAR for Respondent No(s).: 1.
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CORAM :HONOURABLE MR.JUSTICE R.S.GARG
HON'BLE MR.JUSTICE RAVI R.TRIPATHI

Date : 05/07/2005

ORAL JUDGMENT

(Per : HONOURABLE MR.JUSTICE R.S.GARG)

1.We are told that during pendency of this O.J. Appeal, in

Company Petition No. 43 of 2001 by order dated 16.3.2005, the present Company has been directed to be wound up. Learned counsel for the appellant submits that since the order was passed on 16.3.2005 and he has no instructions as to whether the said order has been challenged or not, he is unable to do anything in the present matter. He further submits in case the said order dated 16.3.2005 is set aside in some proceedings, then, the appellant be allowed to argue the present matter.

2. The prayer appears to be justified. The present proceedings are closed with liberty in favour of the appellant that in case, order dated 16.3.2005 passed in Company Petition No. 43 of 2001 is set aside, then, the appellant would be free to make an application for restoration of the present matter to its original number for its hearing. No costs.

[R.S. GARG, J.]

[RAVI R. TRIPATHI, J.]

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